

Chapter 10
Land Use

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INTRODUCTION

The regional land use context for the project alternatives encompasses urban, suburban, rural, and agricultural areas in Sacramento and San Joaquin counties; urban and suburban areas in the City and County of Sacramento, City of Stockton, and City of Lodi; and agricultural areas of Contra Costa County. Alternative 4, “EBMUD-Only Lower American River Delivery,” and Alternative 5, “Sacramento River Delivery,” in this REIR/SEIS include facilities that are very similar to those discussed for Alternative 3, “Joint Water Supply,” in the 1997 DEIR/EIS. The 1997 DEIR/EIS therefore includes a full discussion of the environmental setting for these alternatives, and that information is summarized below as appropriate. Because Alternative 6, “Freeport East Delivery,” Alternative 7, “Freeport South Delivery,” and Alternative 8, “Bixler Delivery,” include facilities in locations that were not described in the 1997 DEIR/EIS, additional information is provided in the “Affected Environment” section, below. This section references and summarizes those discussions and updates them as appropriate.

AFFECTED ENVIRONMENT

Alternative 4: EBMUD-Only Lower American River Delivery

Existing Land Uses

As described in the Project Description section, this alternative consists of the intake Site 5 to FSC portion of Alternative 3 and Alignment 2 of Alternative 2. Land uses between the intake and the FSC connection include an old landfill, the American River Parkway, urban and suburban development, and agricultural and quarry areas as described in the 1997 DEIR/EIS. Land uses along the FSC connection portion of this alternative include rural residential areas, aggregate mining areas, and agricultural lands.

The former landfill mentioned above is located within the river levees between about 23rd and 25th Streets. This site is identified as a medium- or high-priority hazardous materials site. It was a private landfill, and the City has no records of what was disposed of in it. Drums may have been buried at the site in 1950s, based on anecdotal evidence from other private landfills that operated in the same period. The ground at the site is very unstable and prone to settlement/failure. The site has fires on a nearly annual basis. These fires are difficult to extinguish, as they often smolder beneath the ground surface and re-emerge several days after a fire appears to have been extinguished. The City does not have access to this land. If the City gains control of the land, the City’s closure plan for the old City of Sacramento Landfill requires that the City regrade the Dellar property. At present, the landfill surface is a depression, because of the ongoing settling of the buried wastes. The site has also been used as a burn field (Van Dorst 2000). Current engineering plans for the intake and pipeline alignment would avoid the old landfill site.

The Granite Park Planned Unit development described in the 1997 DEIR/EIS was approved and is currently undergoing build-out (Holm 2000). The Folsom Bypass Option runs directly through this development and would conflict with overlying land uses currently under construction.

Planned Land Uses/Relevant Plans and Policies

Portions of the area from intake Site 5 to the FSC is within the area covered by the American River Parkway Element of the Sacramento County General Plan, the City’s General Plan, and the City’s Richards Boulevard Area Plan. Relevant policies of those plans are described in the 1997 DEIR/EIS. The City adopted a new Sacramento Central City Community Plan Land Use Map in July 1997. That plan map includes Industrial Preserve and Parks/Open Space for the

intake Site 5 area. In July 1999, the City adopted a new City-wide General Plan Land Use Map. That map designates the intake Site 5 area as a Special Planning District (Richards Boulevard Area Plan), and adjacent lands to the east are designated Parks-Recreation-Open Space. Designated land uses to the east of Business 80 are primarily Low Density Residential and Schools (Sacramento State University). These designations are consistent with those described in the 1997 DEIR/EIS. The new WTP site just north of the FSC connection's junction with the Mokelumne Aqueducts is designated "Resource Conservation Area" by San Joaquin County's General Plan 2010 Plan Map (revised December 1997). This designation limits activities on the site to those that do not restrict mineral extraction activities.

Alternative 5: Sacramento River Delivery

Existing Land Uses

Land uses along this alternative are similar to those described above for Alternative 4, except that the intake would be on the Sacramento River. Existing land uses for most of the alignment are described for intake Site 1 of Alternative 3 in the 1997 DEIR/EIS. The only new segment would be a small extension from Alternative 3's intake Site 1 westward to the Sacramento River. This extension would be routed along roadways through an industrial area and adjacent to the Sacramento WTP. The actual intake structure would be just north of the City's intake, in an industrial area.

Planned Land Uses/Relevant Plans and Policies

Planned land uses and relevant plans and policies applicable to this alternative are as described above for Alternative 4, except that the intake site area is designated by the City's Central City Community Plan Map (1997) as Public Utilities (City water intake area), Transportation/Rail/Intermodal, and, immediately adjacent to the river, Parks/Open Space.

Alternative 6: Freeport East Delivery

Existing land uses in the Freeport intake area east to I-5 include undeveloped lands designated for industrial and commercial uses. The Sacramento Regional Waste Water Treatment Plant is located east of I-5 near Freeport. Land uses along Meadowview Road are predominately suburban residential, with some interspersed commercial uses and undeveloped land. East of the Western Pacific Railroad (WPRR) tracks, land uses consist of low- and medium-density residential developments and some undeveloped lands. This type of use, interspersed with rural residential development, continues eastward along Mack Road. East of Power Road, suburban residential development and industrial uses predominate. Some industrial uses and low-density residential uses continue east along Gerber Road. East of Florin Road, land uses consist of rural residences and agriculture. The last two miles of this alternative alignment (east of Excelsior Road) to the FSC is primarily open grazing land.

Planned Land Uses/Relevant Plans and Policies

The northern portion of the Freeport area, where this alternative's intake and pipeline would be built, is designated by the July 1999 City of Sacramento General Plan Land Use Map for office, commercial, and park uses. The County's General Plan Land Use Map (December 15, 1993) designates much of Freeport for extensive industrial uses. Across I-5, vacant lands are designated for low-density residential development. This designation also predominates along Meadowview Road. East of the WPRR, land use designations include low- and medium-density residential and some commercial. Larger-scale commercial designations exist along Mack Road. East of Power Boulevard, land use designations include low-density residential and intensive industrial. General Plan designations along Gerber Road are primarily low-density residential. East of Florin Road, open space lands are designated as Urban Development Area. East of the Central California Traction Railroad, designated land

uses include low-density residential, agricultural, and agricultural-residential. East of Excelsior, land is designated for agricultural uses. The FSC is designated "Natural Preserve." Existing land uses described above are generally consistent with these General Plan designations.

Alternative 7: Freeport South Delivery

Existing Land Uses

Existing land uses in the Freeport intake area east to I-5 include undeveloped lands designated for industrial and commercial uses. Agricultural land uses predominate in the southern parts of the Freeport area. The Sacramento Regional Wastewater Treatment Plant is located east of I-5 near Freeport. The northernmost portion of this alignment crosses areas of the North Stone Lake Natural Preserve, which abuts the west side of I-5. Southward along I-5, residential subdivision land uses predominate between Laguna Boulevard and Elk Grove Boulevard. This area is continuing to build out with these uses. South of Elk Grove Boulevard to Hood-Franklin Road, open space is the main land use, with agricultural uses becoming prevalent south to Thornton. In Thornton, low-intensity industrial and urban uses occur on the east side of I-5, with agricultural uses west of the freeway. The alignment crosses another, larger County-Designated Natural Preserve area just north of the San Joaquin County line. South of Thornton along I-5, land uses are almost exclusively agricultural. Some industrial and commercial uses occur where the proposed alignment passes near the I-5/State Route 12 interchange. South of this interchange, the alignment follows Thornton Road and passes through agricultural land uses until Eight Mile Road. At Eight Mile Road, rapid suburbanization is occurring, and land uses from this point to the Mokelumne Aqueducts connection consist of residential, commercial, and industrial urban uses. A large park is located just northeast of this alternative's connection with the Mokelumne Aqueducts.

A new water treatment plant would be developed at Bixler, in northeastern Contra Costa County. EBMUD proposes to locate that facility

on about 27 acres near EBMUD's existing maintenance facility. Both parcels are currently in agricultural use. There also are some rural residential and resort land uses in the Bixler area.

Planned Land Uses/Relevant Plans and Policies

The northern portion of the Freeport area, where this alternative's intake and pipeline would be built, is designated by the July 1999 City of Sacramento General Plan Land Use Map for office, commercial, and park uses. The County's General Plan Land Use Map (December 15, 1993) designates much of Freeport for extensive industrial uses.

From I-5 to the San Joaquin County line, this alternative alignment passes through mostly agriculturally designated lands, with the exception of the area east of I-5 from Laguna Boulevard to just south of Elk Grove Boulevard, which includes a number of urban land use designations ranging from office/commercial to low-density residential. Elk Grove has recently incorporated and is in the process of building out as an urban center. Between the Elk Grove urbanizing area and the county line, land use designations adjacent to I-5 are exclusively agricultural.

In Thornton, just south of the county line, the east side of I-5 is designated for residential uses by the San Joaquin County General Plan Land Use Map. A Freeway Services area is also designated by the County on the east side of I-5 at State Route 12. South of this interchange, the alignment passes through agriculturally designated lands. At Eight Mile Road, the alignment encounters lands designated for residential development by the City of Stockton and San Joaquin County. In Stockton, land use designations represent a variety of urban land uses, including residential, commercial, and industrial designations.

There are no plans for changes in land uses in the Bixler area. Much of the land in the area is designated Agricultural Core. This designation includes a policy strongly discouraging any development on the land,

including utilities. Specifically, the General Plan states:

“This Plan discourages the placement of public roadways or new utility corridors which would adversely affect the viability of the Agricultural Core if economically feasible alternatives exist.”

It should be noted that Government Code Section 65402 requires a finding of general plan conformity before a government agency can approve a project in the jurisdiction of another local agency.

This land also is under Williamson Act contract, which prohibits non-agricultural use of the land. Williamson Act contracts are 10-year, self-renewing contracts and can be cancelled with the County’s concurrence and finding of certain required facts. The southeastern portion of the Bixler property is designated General Agriculture. This designation also does not permit water treatment plants.

A Public/Semi-Public land use designation is required for infrastructure such as a water pipeline or treatment plant. EBMUD’s existing pipeline corridor is designated Public/Semi-Public.

Alternative 8: Bixler Delivery

Existing Land Uses

Existing land uses at Bixler are described for Alternative 7 above. Indian Slough land uses are agricultural. For the Alternative 8 advanced treatment option, land uses along the treated water and brine pipelines are agricultural and urban.

Planned Land Uses/Relevant Plans and Policies

Designated land uses and relevant policies at Bixler are described for Alternative 7 above. Land along the Indian Slough intake route is designated General Agriculture. Land along the brine discharge pipe segment is designated General Agriculture.

ENVIRONMENTAL CONSEQUENCES

Methods and Assumptions

Methods and assumptions are as described in the 1997 DEIR/EIS.

Significance Criteria

Significance criteria are as described in the 1997 DEIR/EIS. These criteria indicate that an impact would normally be considered significant if an alternative would require removal or relocation of structures; result in permanent incompatibilities with existing or proposed land uses; result in substantial construction nuisances; result in unavoidable conflicts with planned developments; or result in substantial inconsistencies with adopted plans and policies.

Impacts Found to Be Less Than Significant

Alternative 4: EBMUD-Only Lower American River Delivery

Impact: Conflicts Associated with Development of the Intake Structure. As described for Alternative 3 in the 1997 DEIR/EIS, no land use conflicts would occur at the intake. No mitigation is required.

Impact: Residential and Commercial Land Use Conflicts. Construction of the pipelines would result in temporary conflicts and construction-related nuisances. These impacts would be essentially identical to those described in the 1997 DEIR/EIS. Because the impacts would be temporary and relatively short-term, they are less than significant. No mitigation is required.

Impact: Potential Conflicts with the KRC Aggregates Gravel Mining Operation. As described for Alternatives 2 and 3 in the 1997 DEIR/EIS, the Mokelumne Aqueduct Pumping Plant would be located on KRC Aggregates’ gravel area, which is designated Resource Conservation by San Joaquin County. Due to the relatively small area involved (four to five acres),

construction of the pumping plant could be allowed with compensation for lost mining potential and site approval by San Joaquin County. No mitigation is required.

The following less-than-significant impacts identified for Alternative 3, "Joint Water Supply," apply to Alternative 5:

Impact: Conflict with Mather Airport Operations. As described in the 1997 DEIR/EIS, a portion of the pipeline alignment is within the approach-departure zone of the runway. However, it appears that the pipeline could be constructed without conflicting with airport operations. Therefore, this impact is less than significant. No mitigation is required.

Impact: Consistency with local Plans and Policies. As described for Alternative 3 in the 1997 DEIR/EIS, the project design has incorporated all the City's and County's requirements and construction would be closely coordinated with the City and County. This impact is less than significant. No mitigation is required.

Alternative 5: Sacramento River Delivery

Less-than-significant impacts associated with this alternative would be the same as those described above for Alternative 4.

Alternative 6: Freeport East Delivery

Impacts associated with the FSC portion of this alternative are essentially the same as identified for Alternative 4 above. Construction/land use conflicts with nearby residential and commercial development would be minor and less than significant. The west side of I-5 paralleling Freeport is designated by the City of Sacramento General Plan Land Use Map (July 1999) for Regional Commercial and Office Use. The pipeline and pumping plant in Freeport would need to be carefully located to avoid conflicting with these designated future industrial land uses. EBMUD would work with the City, County, and local landowners to avoid a pipeline location that conflicted with these designated land uses (e.g., by locating the pipeline in roadway rights-of-way).

Alternative 7: Freeport South Delivery

Impact: Conflicts with Existing or Planned Land Uses. This alignment crosses constructed wetlands (a County-Designated Natural Preserve) about one-half mile south of the wastewater treatment plant. This alignment crosses another, larger, County-Designated Natural Preserve area just north of the San Joaquin County line.

On the east side of I-5 from Laguna Boulevard to Elk Grove Road, residential uses are planned (some are already under construction). The project could conflict with this use if the pipeline were located east of I-5. However, in this area the pipeline could readily be routed west of I-5.

The alignment could result in some land use conflicts in Thornton, just south of the county line, where the east side of I-5 is designated for residential uses by the San Joaquin County General Plan Land Use Map. A Freeway Services area is also designated by the County on the east side of I-5 at State Route 12. As currently routed, the pipeline would pass through this area. EBMUD would carefully coordinate pipeline placement in this area to avoid conflicts with existing or future land uses. Ample land appears to be available to avoid these uses. Therefore this impact would be less than significant. No mitigation is required.

At Eight Mile Road, the alignment encounters lands designated for residential development by the City and County. This area is currently building out and would pose a constraint on pipeline construction. Commercial and residential uses (both existing and planned) line both sides of Thornton Road from Eight-Mile Road to the alignment terminus. Close coordination with the City of Stockton would be required to avoid significant short-term construction-related impacts on residential and commercial uses in the City. No mitigation is required.

Impact: Conflicts with Plans and Policies. The project would not substantially conflict with City or County of Sacramento or City of Stockton land use designations or policies. Therefore this would not result in a significant

impact. The proposed new Bixler water treatment and pumping plants could result in a significant adverse plan compliance impact; this is discussed in the Significant Impacts and Mitigations section below.

Alternative 8: Bixler Delivery

Impact: Conflicts with Existing or Planned Land Uses. The proposed Indian Slough intake would not conflict with existing or planned agricultural land uses in that area. The proposed new Bixler water treatment and pumping plants could result in a significant adverse plan compliance impact; this is discussed in the Significant Impacts and Mitigation Measures section below. New pipelines in EBMUD's existing ROW to Walnut Creek would not conflict with other land uses or with County plans and policies. The proposed pipelines under the advanced treatment option would not conflict with existing or planned agricultural land uses.

Significant Impacts and Mitigation Measures

Alternative 7: Freeport South Delivery

Impact: Conflict with Contra Costa County Agricultural Land Preservation Policies. A large portion of the EBMUD's proposed Bixler land acquisition area is designated Core Agriculture, on which the County strongly discourage any non-agricultural land use. The proposed water pumping station and treatment plant, if located on this land, would be inconsistent with this designation and underlying County policy. The County would be very unlikely to redesignate this land to allow construction of the proposed facilities and thereby eliminate this impact (Patrick Roche, Principal Planner, Advance Planning, Contra Costa County Community Development Department).

Mitigation: Locate the Bixler facilities on land designated AL, General Agriculture, rather than AC, Agricultural Core. This would still need to be redesignated for Public Services/Public Utilities. However, conversion of General Agriculture lands for water treatment

and conveyance facilities would be consistent with County policies and is not considered a significant impact.

Alternative 8: Bixler Delivery

Impact: Conflict with Contra Costa County Agricultural Land Preservation Policies. Same as described for Alternative 7, above.